STATE OF MICHIGAN

COURT OF APPEALS

DANIEL J. BAJOR,

Plaintiff-Appellant,

v

CATHERINE ANN BOUSSIE, KELLEY RAE SOSNOWSKI, and KATHLEEN WINES WARD,

Defendants-Appellees.

UNPUBLISHED
April 20, 2006

No. 266350
Macomb Circuit Court
LC No. 2005-001278-NO

Before: Murphy, P.J., and O'Connell and Murray, JJ.

PER CURIAM.

Plaintiff, acting *in propria persona*, appeals as of right from the circuit court's order granting summary disposition to defendants. We affirm. This appeal is being decided without oral argument in accordance with MCR 7.214(E).

Plaintiff was terminated from his job at Eftec Corporation in 2002. Defendants were plaintiff's superiors or coworkers at the company. Taking issue with his termination, plaintiff embarked on a campaign of letters and e-mails to defendants and others at Eftec, including the company's attorneys. The amount and tone of the correspondence eventually prompted defendants to ask the police to intervene. Maintaining that defendants falsely launched a criminal investigation against him, plaintiff filed suit, setting forth counts of defamation and intentional infliction of emotional distress. In his amended complaint, plaintiff added the allegation that defendants had published defamatory statements to Eftec's executives and attorneys, as well as to their immediate families and friends.

Defendants moved for summary disposition under MCR 2.116(C)(10). The trial court granted the motions on the ground that undisputed evidence established the truth behind defendants' representations concerning plaintiff. We agree. "A motion for summary disposition under MCR 2.116(C)(10) tests the factual support of a claim." *Decker v Flood*, 248 Mich App 75, 81; 638 NW2d 163 (2001). "We review a trial court's decision with regard to a motion for summary disposition de novo as a question of law." *Ardt v Titan Ins Co*, 233 Mich App 685, 688; 593 NW2d 215 (1999). Truth is an absolute defense to a defamation claim. *Porter v Royal Oak*, 214 Mich App 478, 486; 542 NW2d 905 (1995). Truth means truth in substance, minor inaccuracies notwithstanding. *Rouch v Enquirer & News of Battle Creek*, 440 Mich 238, 258-259; 487 NW2d 205 (1992). The incident report defendants generated stated that plaintiff had harassed them "'by the use of e-mail and by calling there [sic] homes,'" and that Ward "'stated

she has a combined total of over a hundred e-mails that [plaintiff] has sent to listed victims in the past two years.'"

Our perusal of the exhibits depicting the multitude of e-mails and letters plaintiff wrote to defendants and others reveals plaintiff to be repetitive, hostile, sarcastic, threatening, probing, indiscrete with personal matters unrelated to his employment, and otherwise excessively and emotionally confrontational. Plaintiff nowhere suggests that any writing attributed to him was in fact manufactured and misattributed, so this mass of harassment evidence is totally undisputed. Therefore, the only question is a legal one: Did the voluminous personal and antagonistic correspondence substantially verify defendants' complaints of harassment? Our review of the correspondence and other evidence leads us to answer in the affirmative and find that defendants' complaints and statements to authorities and others were substantially true. Plaintiff also protests that communications he directed to Eftec's attorneys, or defendants' coworkers, cannot support defendants' claims of harassing conduct, but plaintiff fails to appreciate the direct correspondence or the proximity between employees at the company, as well as the attorneys and their clients. Defendants' reports to the police and others truthfully described plaintiff's harassing conduct, so plaintiff's defamation claim fails.

Plaintiff's claim of intentional infliction of emotional distress also fails. To prevail on such a claim, the plaintiff must show that the defendant intentionally or recklessly engaged in extreme and outrageous conduct that proximately caused the plaintiff to suffer severe emotional distress. *Haverbush v Powelson*, 217 Mich App 228, 234; 551 NW2d 206 (1996). Given the statements undisputedly attributed to plaintiff, defendants, at worst, slightly exaggerated their claims of harassment and did not wholly fabricate them. Reacting to plaintiff's hostile missives by requesting police involvement, let alone complaining of them to friends and family, falls far short of outrageous conduct. Accordingly, we affirm the dismissal of that claim.

Plaintiff also argues that the trial court erred by dismissing the case without allowing him to take depositions. However, plaintiff leaves us to guess what he hoped to gain from additional discovery. His brief argument includes no hint about whom he wished to depose, or what he hoped to learn from doing so. A party may not leave it to the appellate court to "'unravel and elaborate for him his arguments . . . .'" *Mudge v Macomb Co*, 458 Mich 87, 105; 580 NW2d 845 (1998), quoting *Mitcham v Detroit*, 355 Mich 182, 203; 94 NW2d 388 (1959). In light of plaintiff's complete failure to explain what he hoped to gain from further discovery, he provides us with no basis for appellate relief on this issue.

Affirmed.

/s/ William B. Murphy
/s/ Peter D. O'Connell
/s/ Christopher M. Murray